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Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Mr. Frank La Rue

Addendum

Mission to the Former Yugoslav Republic of Macedonia: comments by the State on the report of the Special Rapporteur*

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The Government of the Republic of Macedonia has considered with great attention the Report of the Special Rapporteur of the United Nations on the Promotion and Protection of the Right to Freedom of Opinion and Expression, Frank La Rue on his visit to the Republic of Macedonia which took place from 18 to 21 June 2013.

A general observation of the Macedonian authorities is that Report does not contain a number of views and arguments presented to Special Rapporteur La Rue by the official representatives of the institutions of the Republic of Macedonia during his visit to the country which may, in turn, lead to certain events being misrepresented and misinterpreted.

Remaining true to the spirit of constructive dialogue, the Government of the Republic of Macedonia would like to hereby submit the comments and suggestions from its in-line institutions concerning the Report of the Special Rapporteur.

Paragraphs 21 and 22

The closing of A1 TV station and of three daily newspapers was a result of a legal procedure, i.e. following regular public revenue office inspection, as performed on all legal persons, including broadcasters. The TV station was closed as a result of a debt incurred on the grounds of unpaid taxes. Despite all the activities, very carefully implemented by the relevant authorities, aimed at avoiding the closure of the TV station, considering that it was a matter of a media outlet with one of the highest ratings in the country, and despite the efforts of the relevant authorities to facilitate the payment of the unpaid tax debt in instalments, the A1 TV Station did not fulfil the required legal conditions to provide collateral for the debt. Therefore, bankruptcy proceedings had to be instituted.

The Agency for Audio and Audiovisual Media Services acts in accordance with its legally prescribed competences and exclusively for the purpose of ensuring the consistent application of the law (in the case of A1 and A2 televisions, the legislation in force at that instance was the Law on Broadcasting). Article 62, Paragraph 1, Subparagraph 4 of the Law on Broadcasting has stipulated that the broadcasting license is revoked in case of bancuptcy or liquidation of a broadcasting company holding the licence. Thus, once the Agency for Electronic Communication adopted a Decision revoking the licenses for allocating broadcasting frequencies, A1 TV which, at that point, was already declared bankrupt, stopped broadcasting, while, as a consequence, the national Broadcasting Council adopted a Decision revoking the company's broadcasting license.

Paragraph 3

As a further explanation to the case of A2 TV, while making regular controls on three consecutive occasions, the then national Broadcasting Council[1], found that the broadcaster in question had failed to meet the licensing criteria on the programming format, following which, during its first control conducted in February 2012, the Council established that the broadcaster should align its work with the legally prescribed license conditions. Having ascertained during its second control at the beginning of May 2012 that nothing had been done to address the situation, the Council issued A2 TV a written warning to comply with the licensing conditions as stipulated under the law. Following the third consecutive control at the end of May of that same year which only corroborated the fact

[1] Under the new Law on Audio and Audiovisual Media Services, the erstwhile Broadcasting Council has been converted into the new Agency for Audio and Audiovisual Media Services (Official Gazette of the Republic of Macedonia No. 184, dated 26 December 2013).

that the A2 TV had failed to comply with the licensing conditions, the Council initiated a procedure to revoke its broadcasting licence. In the first half of June 2012, another control was conducted to determine whether the media outlet had aligned its program with the licensing conditions in the additional time it had been given to address the situation. By that, the national Broadcasting Council exhausted all legally allowed opportunities it had in its power, leading to it adopting a Decision to revoke A2 TV its broadcasting licence. The media outlet lodged an appeal to the Administrative Court against the Decision of the Broadcasting Council to revoke its broadcasting licence, filing a special formal motion for the execution of the Decision of the Council to be postponed until the Administrative Court passed its final ruling. The Administrative Court, on its turn, overruled the motion for postponing the execution of the Decision of the Council, deeming it ungrounded, while, in its ruling, it also dismissed the appeal of A2 TV against the Decision of the Broadcasting Council to revoke its broadcasting licence as ungrounded (the Court's ruling is final as of 23 March 2013).

Paragraph 27

For the purpose of gaining an adequate and objective perception as to the listed statistical data outlining the number of lawsuits for defamation and offence, it would also be useful to examine how many of those lawsuits have actually been filed against journalists and who the plaintiff has been in those cases. Namely, according to the statistical data acquired from the Ministry of Justice, as of November 2013, the status with regard to the structure of cases pertaining to defamation and offence that are being prosecuted in Skopje II First Instance Court (where most cases on such grounds are being processed) is the following:

There have been 61 cases in which journalists or media outlets have been sued for defamation and offence by individuals and legal entities, politicians, other journalists, etc.

Politicians or individuals have been sued for defamation or offence in 20 cases, with the plaintiffs being other politicians, journalists, individuals, etc.

Paragraph 28

The Republic of Macedonia is one of the very few countries in the world that have decriminalized defamation and offence which can now be exclusively tried in civil law proceedings. Under the new concept of identifying liability, the European Convention on Human Rights and the case-law of the European Court of Human Rights would have supremacy in both cases of conflicting domestic legislation and when potential legal loopholes arise.

The new Law defines compensations of damages being paid to victims of defamation and offence as a measure of last resort. Namely, the Law envisages that liability for defamation and offence be assigned exclusively in cases where intent can be identified. Those making offensive claims against holders of public offices will not be held accountable for offence under certain conditions such as when claims of that sort encourage public debates, when they are based on true facts or when there are reasonable grounds to believe in the authenticity of the facts presented. Those making negative remarks on someone else with honest designs or believed to have presented those remarks with good intentions will not be held accountable for offence either. The Law also envisages other grounds that exclude liability for offence.

As regards defamation, the Law does not assign accountability for defamation if the defendants are able to substantiate the authenticity of their claims or are able to prove that

they had reasonable grounds to believe in the authenticity of their claims. When the plaintiff is a holder of public office, an exception has been made to the rule stating that the burden of proof falls to the defendant. In such cases, the holders of public office are legally obliged to provide an explanation with regard to the specific facts that are directly related or are of significance to the performance of public office if the defendants are able to prove had been of public interest.

Moreover, the Law prescribes a possibility for mitigating the damage incurred prior to the lawsuit being filed, particularly in cases of defamatory remarks and offences being delivered in public media when the damaged party can ask for public apology or for the claims made to be publicly retracted. Compensation of non-material damage in cases of defamation is ordered by the court only if the defamer had not apologized or had not publicly retracted the offensive claims. For purposes of alleviating the damage, there is a possibility of the defendants being allowed to prove that they had apologized, offered to apologize or had in any other way made a serious attempt to eliminate the damaging consequences of the defaming claims they had made.

Journalist who are being prosecuted for defamation and offence have a right to appeal the ruling of the first instance court, institute an extraordinary legal remedy before the Supreme Court of the Republic of Macedonia, as well as file an application with the European Court of Human Rights. Other venues for revising the rulings made by the domestic courts are unacceptable and contrary to international standards.

Paragraphs 29 and 31

Following a brief period of interruption, the *Focus* weekly resumed printing. One of the causes believed to be the reason for the temporary interruption of its publication was the death of the outlet's owner who lost his life in a tragic traffic accident. The institutions in charge undertook all measures and activities necessary to clear the case while the findings of the investigation into the accident were presented to the general public.

Paragraphs 32 and 33

As regards the case of journalist Kežarovski, it should be underlined that Mr. Kežarovski was charged with unlawfully revealing information and facts on witnesses, collaborators to justice, victims who appear in the capacity of witnesses and their close ones under Article 42, Paragraph 1 of the Law on the Protection of Witnesses. In October 2013, the Skopje I First Instance Court passed a verdict on the case, convicting the journalist to 4 and a half years of imprisonment.

In February 2014, the OSCE Representative on Freedom of the Media, Mrs. Dunja Mijatović visited Mr. Kežarovski, who will remain under house arrest until the final deadlines for the appeal procedure and deciding upon it by the courts of higher instance expire.

Paragraph 36

Article 24, Paragraph 2 of the Law on Broadcasting stipulated that members of the Broadcasting Council can be persons who have made significant contributions in the fields of communication sciences, journalism, telecommunications, information technology, culture, economy, law and others that are relevant to the Broadcasting Council's area of competence. The Law also contained provisions ensuring political independence and preventing any types of conflicts of interests while stipulating, at the same time, that during

the terms they had been elected to, the members of the Council would act in accordance with the Law on Broadcasting. If they were found to be working contrary to the provisions that the Law contained, the members of the Broadcasting Council would be discharged prior to the terms of offices they had been appointed to had expired.

Under the new Law on Audio and Audiovisual Media Services which entered into force on 3 January this year, the number of members sitting on the Council of the Agency for Audio and Audiovisual Media Services has been reduced, being proposed by the two national associations of journalists with the largest number of members, the Interuniversity Conference, the Bar Chamber of the Republic of Macedonia, the Federation of Trade Unions of Macedonia, the Committee on Election and Appointment Issues at the Assembly of the Republic of Macedonia and the national Association of the Units of Local Self-Government. The new Law has retained the previously prescribed requirements for professionalism and prevention of political and economic influence over the members of the Council.

Paragraphs 38 and 48

In the period from April to July 2013 the Ministry of Information Society and Administration conducted a wide consultation process with all stakeholders regarding the Media Law and the Law on Audio and Audiovisual Media Services. The consultation process included online consultations and public hearings. Expertise and opinions were received and properly incorporated from the Council of Europe, OSCE and the European Commission through TAIEX. The public hearing on the laws continued after their entry into parliamentary procedure with the participation of experts.

As a result of lengthy consultative process and accepted amendments, the Parliament adopted the Law on the Media and the Law on Audio and Audiovisual Media Services in December 2013.

The newly adopted Law on the Media lays down the basic principles and conditions that the media publishers (radio broadcasters, printed or electronic media publishers) need to comply with when performing their activities. The Law has been harmonized with the documents/standards of the Council of Europe and the OSCE relating to ensuring freedom of expression and freedom of the media.

The newly adopted Law on Audio and Audiovisual Media Services fully incorporates the EU Directive 2010/13/EU on Audiovisual Services. The goal of the Law on Audio and Audiovisual Media Services is to ensure the development of the audio and audiovisual media services, the development of the independent production, to encourage, upgrade and protect the cultural identity, minority languages and traditions in Macedonia, the respect of cultural and religious differences, to encourage the culture of public dialogue between citizens from different communities in order to enhance mutual understanding and tolerance, to encourage the educational and scientific development. Furthermore, this Law aims at providing protection of the interests of the users, especially minors, development of the media literacy, and ensuring a transparent, independent, efficient and accountable public broadcaster and transparent, independent, efficient and accountable regulatory body in the area of audio and audiovisual media services.

The new Law on Audio and Audiovisual Media Services provides that all government institutions are obliged to spend its funds for advertising in a non-discriminatory, objective and transparent way in accordance with the provisions of the Law for public procurements.

The dialogue with the journalists further continued after the laws were adopted. This resulted in a number of amendments adopted by Parliament on 21 January 2014. The

adopted amendments to the Law on Audio and Audiovisual Media Services specifically promote and encourage freedom of expression, as well as revise the list of bodies authorized to propose members of the Council, including two most representative associations of journalists, ensures protection against court decision for dismissal of the Director of the Agency. The amendments also provide that restriction on media content should comply with the case-law of the European Court of Human Rights.

With the amendments to the media law it is prescribed that the contents published in media are not subject regulated by the Law and none of the provisions should be interpreted in a way that means regulation of the media content. The amendments exclude electronic publications from the Law, liability for publication of certain information and the obligation to adopt statutes of the media.

In the area of self-regulation, in December 2013, the Council for media ethics was established as the first self-regulatory media body. It is independent, collective body of editors, journalists, media owners and members of the public. The first meeting of the Steering Committee of the Council for Media Ethics was held and the president and the deputy-president of the Council were elected. The Statute of the Council for Media Ethics as well as the Rules of Procedure of the Supervisory Board and the Steering Board, were adopted. Additionally, a call for election of members of the Appeal committee that will act upon citizens' complaints was published in order to elect its 7 members. Out of the 7 members, two will be representatives of the media owners, two - journalists appointed by the AJM and three will be representatives of the public.

Paragraphs 39, 40 and 41

The Law on Audio and Audiovisual Media Services contains provisions pertaining to the national public broadcasting service, i.e. the Macedonian Radio and Television (MRT), its way of operating and the obligations it has assumed as the public broadcasting service. The MRT has been structured in line with the universal model of the European Broadcasting Union (EBU).

Article 102 of the new Law on Audio and Audiovisual Media Services stipulates that, if they had allocated funds within their budgets for informing and introducing the general public to their services or activities, the state institutions and state administration bodies, the public enterprises and institutions, the units of local self-government, the public establishments and institutions, as well as the legal entities with public competences are obliged to pursue those activities in a non-discriminatory, objective and transparent manner, in a procedure as set forth by the Law on Public Procurements.

As parts of its ongoing and regular operations, the Government of the Republic of Macedonian has been pursuing activities aimed at updating the citizens on certain projects it has been implementing, informing them, at the same time, on certain rights and opportunities it is introducing for the citizens to utilize, as well as promoting values that are of interest to the citizens. Those sets of information and promotion activities are being pursued via all national and local media such as Sitel TV, Telma TV, Kanal 5, Alsat TV, Alfa TV and other national and local TV outlets.

Paragraph 45

As regards the events that took place at the Assembly of the Republic of Macedonia on 24 December 2012, it should be clarified that the events in question did not entail "journalists being expelled from the national Parliament floor," but what actually happened was that it was found necessary to advise the journalists to leave the Assembly's plenary

hall until conditions for the Assembly resuming its normal work and continuing its session are once again created.

For the purpose of clarifying the event, an Inquiry Committee was established in August 2013.

The recommendations of the Inquiry Committee report for December 24 are: Amendments to the Assembly's Rules of Procedure - harmonization with the Law on the Assembly; regulation of the manner of work of the coordination at the Assembly's President; regulation of the procedure for the Budget adoption process; regulation of the procedure for managing the plenum and working bodies of Assembly; amendments to the provisions on the inquiry committees and the supervisory role of the Assembly, Adoption of the Code of Ethics for MPs and for the Assembly service; Separation of the security service from the Ministry of Interior and establishing a separate service for the security of the Assembly; Enhancing the dialogue between journalists and the Coordination; Adoption of the Assembly Calendar; Amendments of the Law on Assembly – setting up the movement regime around the Assembly during sessions; Amendments of the Criminal Code - to envisage qualified elements when the performer is a person holding public office, elected and appointed official.

Paragraphs 68 and 69

The Republic of Macedonia remains permanently commitment to encouraging diversity in the media. Apart from the Macedonian Radio and Television which maintains a separate channel especially reserved for broadcasting programs in the languages of the ethnic communities, 45 TV outlets in Macedonia are broadcasting in the Macedonian language, 12 in the Albanian, 2 in the Albanian and Macedonian in parallel, 2 in the Roma and Macedonian, 1 in the Bosniak, 2 in the Macedonian, Turkish and Albanian in parallel and 1 in the Bosniak, Macedonian and Albanian languages in parallel. The situation of radio broadcasters is similar – 63 of them are broadcasting in the Macedonian, 11 in the Albanian, 1 in the Macedonian, Serbian and Croatian in parallel, 1 in the Albanian and Macedonian, 1 in the Albanian, Macedonian and Turkish and 1 in the Roma and Macedonian languages in parallel. As outlined, the number of media broadcasting program in the languages of the ethnic communities living in the Republic of Macedonia closely corresponds to the overall sizes of the different ethnic groups in the country.

As part of its competences, the Agency for Audio and Audiovisual Media Services pays close attention to ensuring media pluralism i.e. external pluralism in terms of media ownership and unlawful media concentration and internal pluralism in terms of media genres, geographic/local pluralism, media literacy, political pluralism and pluralism of media types.

External pluralism: The Law on Audio and Audiovisual Media Services allows for horizontal integration of the media, but, at the same time, sets limitations as to the shares in founding capital, as well as with regard to the number of broadcasters that a single natural or legal person is allowed to own. In order to prevent political parties, state institutions, units of local self-government, holders of public offices and members of their families exerting influence on the media, under the said Law, they are not allowed to be involved in broadcasting activity or act as founders or cofounders of media or, for that matter, have any kind of share in the ownership of broadcasters. Certain provisions have also been incorporated in the Law stipulating that unlawful media concentration are also considered cases in which natural persons that are founders of broadcasting companies or are holders of executive positions in broadcasting companies are, at the same time, attested to be founders of: a printed media publisher printing a daily newspaper which is being distributed around the same area in which radio and/or television program is being broadcast; a news

agency, an advertising company, market and public opinion research company, a company engaged in distributing audiovisual works, a film production company or an operator of electronic communication networks broadcasting or re-broadcasting radio and television program.

Internal pluralism: The media landscape in Macedonia is also quite diverse in terms of pluralism of media genres (diversity in media in view of the three basic media functions of informing, entertaining and educating; diversity of topics covered which is also one of the criteria being considered when issuing broadcasting licences), as well as with regard to pluralism in the types of media present - the coexistence of media with different tasks and different sources of funding such as commercial media, non-profit radio outlets, and the public broadcasting service. The media scene in the country is also diverse in terms of both geographic/local pluralism (having different forms of presenting the local and regional communities, as well as interests, in the media is also one of the criteria for granting broadcasting licences) and in view of political pluralism (which also forms part of the programming principles upon which the radio and television programs are grounded). In 2014, the Agency is expected to draft certain analyses over the different individual aspects of pluralism or, more precisely, an analysis of the issue of how political pluralism as one of the aspects of media pluralism is maintained during an ongoing election campaign. Another analysis will be focused on identifying the manner in which control of media ownership is maintained for purposes of ensuring media pluralism.

The **2013-2017 Strategy on the Development of Broadcasting Activity** is currently being implemented through the activities that have been envisaged under the Action Plan for the Strategy's implementation. Hence, the following activities have been completed under the aforementioned Action Plan in the period between May 2013 and February 2014:

* The May 2013 amendments to the Law on Broadcasting Activity defined the position of the operators of digital terrestrial multiplexes which are now legally obliged to broadcast the programs of the Macedonian broadcasters, laying down the procedure on how the existing broadcasters are to change from transmitting analogue to digital terrestrial signal (Item 3 of Section 4 of the Action Plan – Regulating Audio and Audiovisual Media Services).

* Following the adoption of the new Law on Audio and Audiovisual Media Services, as well as the Law on the Media in December 2013, certain activities have been completed under Section 1 of the Action Plan entitled Pluralism and Diversity of Program Content; Section 3 entitled Economic Potential of the Broadcasting Industry and Section 4 entitled Regulation Concerning Audio and Audiovisual Media Services.

Activities are also under way for drafting the secondary legislation stemming from the aforementioned new media laws that are being pursued in parallel with the activities aimed at enhancing media literacy. All of them are being pursued as part of the IPA 2009 project entitled Strengthening the Administrative Capacities of Telecommunications and Media Regulatory Bodies for Efficiently Regulating New Digital and Multipurpose Program Services. It is expected that the secondary legislation will be drafted by the middle of this year and the Media Literacy Program by the end of it. The first stage is expected to produce both a methodology and toolsets for gauging media literacy among both children and adults (in the first half of 2014) which is to be followed by research projects on the levels of media literacy in the country. The results acquired from these research projects will be used as the basis for developing the national Media Literacy Program.

Paragraphs 70, 71 and 75

As part of its competences, the Broadcasting Council, *inter alia*, took due care of protecting the freedom of expression by determining whether a media outlet had gone beyond the legislative provisions, i.e. the media outlet had been discriminatory or had used hate speech. On several occasions, the Council discussed cases of infringing upon the legal provisions in this respect in the media, especially cases of ethnic intolerance, labelling and stigmatizing of journalists – political opponents, homophobic statements, etc. In elaborating such cases, the Council took into consideration Article 16 of the Constitution in reference with other constitutional provision guaranteeing human rights; as well as the European Human Rights Convention and the case-law of the European Human Rights Court; relevant recommendations of the Council of Europe and the Council of Europe Declaration on freedom of political debate in the media; taking into consideration other documents as well, such as the *Council of Europe Manual on Hate Speech;* then researches and analyses of the Macedonian media landscape prepared by various Macedonian research, education and scientific institutions; and the Glossary of terms in the area of discrimination, published by the Macedonian Centre for International Cooperation and the OSCE.

The Law Amending and Supplementing the Law on the Media envisages that the prohibition "to encourage and spread discrimination, intolerance or hatred on grounds of race, gender, religion or nationality" must be in line with the case-law of the European Human Rights Court. Despite the fact that the Public Prosecutor's Office of the Republic of Macedonia has the direct competence of undertaking proceedings in cases of hate speech, the Agency for Audio and Audiovisual Media Services undertakes regular activities to upgrade its capacities to deal with cases of hate speech in the media. Hence, activities in this respect have been envisaged under the IPA Project "Strengthening administrative capacities of regulatory bodies for the media and telecommunications for purposes of their efficient regulating the new digital and multipurpose services"; in addition, there is the Council of Europe Project "Advancing the freedom of expression and informing and the freedom of the media in Southeast Europe"; then there is the IPA 2011 project "Freedom of Expression - Support to Media Reforms". In this context, there will be a TAIEX mission in June 2014, i.e. a study visit of a media regulatory body in Germany.

The Law Amending and Supplementing the Criminal Code, adopted in February 2014 introduced amendments to the Chapter relating to general rules for meting out a sentence, i.e. Article 39, paragraph 5; as well as amendments to provisions relating to crimes against human rights and freedoms, i.e. violation of the equality of citizens- Article 137, paragraph 1; then provisions relating to the crime of threatening the security - Article 144, paragraph 4 and Article 319, which specifically relates to the crime of *Causing hate, discord or intolerance on national racial, religious and other discriminatory grounds.*

These amendments expanded the protective characteristics to sex, race, skin colour, gender, belonging to a marginalized group, ethnic origin, language, nationality, social origin, religion or confession, other types of belief, education, political belonging, personal or social status, mental and physical disability, age, family or marital status, property status, health condition or on any other grounds established by law or by ratified international agreements.

Paragraphs 77 and 78

The Ministry of Interior undertakes activities in order to clarify incidents related to LGBT activists, as well as to identify and bring the perpetrators to justice.

Within the Ministry of Interior Centre for Organized Crime there is a Unit for Computer Crime which acts on all anonymous complaints regarding the hate speech.

The Commission against Discrimination reacted publicly to the incidents against the LGBT and called for tolerance, respect for equality and non-discrimination. The Commission takes part in various events linked to the promotion of rights of LGBT and, together with the *Hera* NGO, applied for the *Matra* project to focus on a survey of the situation of LGBT population in Macedonia.

The Commission acts on complaints of grounds of sexual orientation. Since the start of its work, 13 applications on this ground were lodged (5 in 2013). In 1 case discrimination was confirmed, while settlement was reached in one case. In 6 cases no discrimination was found and 5 are being processed.

In the area of non-discrimination and equal rights, a National Network for Fight against Homophobia and Transphobia was established as a network of 15 civil society organizations and informal groups. Its purpose is to organize activities for greater visibility of the LGBTI community and promotion of their basic human rights.

Paragraphs 65 and 92

The existent Law on Electronic Communications has been harmonized with the package of EU directives on electronic communications of 2002. As an EU candidate country, the Republic of Macedonia is obliged to align its national legislation with the EU acquis. Thus, the Macedonian legislation needs to be aligned with the new package of EU directives concerning electronic communications.

Taking the foregoing into consideration, an interdepartmental task force was established in September 2012. This task force was composed of representatives of state bodies and agencies and of the private sector and its goal was to draft a new Law on Electronic Communications.

In February 2014, the Assembly of the Republic of Macedonia adopted the new Law on Electronic Communications.

The new Law on Electronic Communications incorporates:

I. Directive 2009/140/EC ("The Better Regulation Directive") amending:

- Framework Directive (2002/21/EC),
- Access Directive (2002/19/EC),
- Authorisation Directive (2002/20/EC).

II. Directive 2009/136/EC ("The Citizens' Rights Directive") amending:

- Universal Service Directive (2002/22/EC),
- ePrivacy Directive (2002/58/EC)

III. Directive 2006/26/EC on the retention of data.

As regards the national legislation, the new Law on Electronic Communications was harmonized with:

- the Law on Audio and Audi-Visual Media Services;
- the Law on Protection of Personal Data;
- the Law on Communication Interception;
- the Law on Misdemeanours;
- the laws governing construction and expropriation, etc.

The new Law on Electronic Communications takes into consideration the ruling of the Constitutional Court of 2010 annulling certain articles of the then-existent Law on Electronic Communications that concerned communication interception.

The conditions under which communication may be intercepted are set by the Law on Criminal Proceedings. Specifically, Article 235 of the Criminal Code stipulates for which criminal acts special investigative measures may be adopted. (The article is aligned with international norms.)

The Communication Interception Law governs the supervision and control over the implementation of the special investigative measure of communication interception. For purposes of supervision, the Assembly of the Republic of Macedonia establishes a commission composed of MPs. The commission is composed of a chair, four members, a deputy chair and four deputy members. The chair of the commission is elected from the ranks of the opposition MPs.